

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

AMY CUMMANS

PLAINTIFF

v. Civil No. 04-5232

R.F.E. MANAGEMENT SERVICES,
S.A., et al.

DEFENDANTS

O R D E R

Now on this 8th day of September 2005, comes on to be considered defendants' **Motion to Bar Plaintiff's Expert (Doc. 31)**. The Court, being well and sufficiently advised, finds and orders as follows with respect thereto:

1. Defendants filed the current motion, moving to strike Dr. Ana Maria Pi as an expert witness in this case on the grounds that plaintiff had failed to provide defendants with the written report required by Federal Rule of Civil Procedure 26(a) (2) (B). Plaintiff has filed a response, indicating that Dr. Pi's report has since been provided to defendants. While the deadline for submitting the report was on or about August 8, 2005, plaintiff explains that Dr. Pi did not conclude her report until August 23, 2005, and the report was provided to defendants on that same date.

2. Upon due consideration, defendants' **Motion to Bar Plaintiff's Expert (Doc. 31)** is **DENIED**. The parties have advised the Court that they have agreed on dates to depose Dr. Pi and defendants' expert, Dr. Richard Back. The discovery deadline is

hereby extended to October 7, 2005, for the limited purpose of taking Dr. Pi's and Dr. Back's depositions.

This case remains set for trial the week of November 7, 2005, and the parties are advised that the Court expects strict compliance with all future deadlines.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE